

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
AGUSTIN ACEVEDO, JOSE GUTIERREZ,
MOISES AGUILAR, AND SAMANTHA
MURPHY, *on behalf of themselves and the Class*,
:
:
:
:
:
Plaintiffs, :
:
-v- :
:

THOMAS BURKE, FRANCIS MCCOLE,
DOUGLAS KAPLAN, CAMELOT CASTLE LLC,
doing business as Oscar Wilde, 49TH STREET
RESTAURANT LLC, *doing business as Lillie's*
Victorian Establishment Times Square, MUCHO
MOOLA, LLC, *doing business as Celtic Developers Group*,
FAT 2 MUSCLE LLC, *doing business as Lillie's*
Victorian Establishment Times Square, and
STONEHOUSE NYC LP STRAFFORD
VENTURES INC GN PTNR, *doing business as*
Papillon Bistro & Bar
:
:
:
:
:
:
:
:
:
Defendants. :
:

----- X
GREGORY H. WOODS, United States District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3/17/2022

1:21-cv-11053-GHW

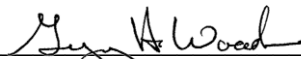
ORDER

Plaintiffs have voluntarily dismissed this case without prejudice under F.R.C.P. 41(a)(1)(A)(i) and F.R.C.P. 41(a)(1)(A)(ii). Dkt. Nos. 20, 21. In light of the Second Circuit's decision in *Samake v. Thunder Lube, Inc., et al.*, 24 F.4th 804 (2d Cir. 2022), the Court held a conference to discuss the stipulations of dismissal with the parties. Dkt. No. 22. The parties proffered to the Court that there was no settlement of any of the FLSA claims in this action. Therefore, the Court endorses the parties' stipulations of dismissal of this case without prejudice.

The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: March 17, 2022
New York, New York


GREGORY H. WOODS
United States District Judge